

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0269

HOUSE BILL NO. 1057

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
State Brand Board

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding eligibility for open
2 market status for the purposes of brand inspection.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 40-21-5 be amended to read as follows:

5 40-21-5. To facilitate the inspection of livestock and the enforcement of chapters 40-18 to
6 40-22, inclusive, any livestock market, slaughter facility, or inspection point, whether within or
7 without the State of South Dakota, that meets the criteria established by the board may be
8 designated by the board as an open market. The board shall establish criteria for designating an
9 open market and for revoking open market status by rules promulgated pursuant to chapter 1-26.
10 Criteria may include distance from the livestock ownership inspection area, the number of head
11 inspected annually, compliance by the market with ownership inspection laws, adequacy of the
12 facilities, ~~and~~ economic feasibility, and compliance with the open market agreement. Any
13 livestock market, slaughter facility, or inspection point designated as an open market by the
14 board shall enter into an open market agreement with the board on such terms and conditions
15 as the board may determine, including agreeing to abide by the brand inspection laws and



- 1 regulations of this state and of the state in which the livestock market, slaughter facility, or
- 2 inspection point is located.